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6 Attorneys for OCEANO PACKING COMPANY, LLC.

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 8 **IN THE UNITED STATES DISTRICT COURT**
 9 **FOR THE NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION**

10 ASA FARMS, INC., a California corporation and
 11 BRAGA RANCH

12 Plaintiffs,

13
 14 v.

15 FRESH 'N HEALTHY, INC., a Delaware
 16 corporation, MARK WILLIAMS, an individual;
 JACK PARSON, an individual; STEVEN CINELLI,
 17 an individual; CHAD HAGEN, an individual,
 SANTOS MARTINEZ, an individual; DON BEAM,
 18 an individual; DARRYL NICHOLSON, an
 individual; RICHARD MAY, an individual;
 19 THOMAS COLOGNA, an individual; PRESTWICK
 PARTNERS, LLC, a California limited liability
 20 company; SOLSTICE VENTURE PARTNERS,
 LLC, a business entity form unknown; VFINANCE
 21 INVESTMENTS, a business entity form unknown;
 FMP VINEYARD, LLC, a New Mexico limited
 22 liability company; BUTTONWOOD OPTION,
 LLC, a business entity form unknown; DW, LLC, a
 23 business entity form unknown; M SOLAZZO
 TRUST 2002; P. SOLAZZO 1998; GIBBONS
 24 FAMILY TRUST; BIXLER TRUST;
 STEIGERWALD TRUST and CARTER TRUST,
 25 COMERICA BANK and DOES 2 through 50,
 26 inclusive,

27 Defendants
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Case No. C08-00122JF

**VOLUNTARY DISMISSAL OF
 INTERVENOR OCEANO PACKING
 COMPANY, LLC'S COMPLAINT-IN-
 INTERVENTION**

OCEANO PACKING COMPANY, LLC, a
California limited liability company,

Intervening Plaintiff,

v.

FRESH 'N HEALTHY, INC., a Delaware
corporation, MARK WILLIAMS, an individual;
JACK PARSON, an individual; STEVEN CINELLI,
an individual; CHAD HAGEN, an individual,
SANTOS MARTINEZ, an individual; DON BEAM,
an individual; DARRYL NICHOLSON, an
individual; RICHARD MAY, an individual;
THOMAS COLOGNA, an individual; PRESTWICK
PARTNERS, LLC, a California limited liability
company; SOLSTICE VENTURE PARTNERS,
LLC, a California limited liability company;
VFINANCE INVESTMENTS, a business entity
form unknown; FMP VINEYARD, LLC, a New
Mexico limited liability company; BUTTONWOOD
OPTION, LLC, a business entity form unknown;
DW, LLC, a business entity form unknown; M
SOLAZZO TRUST 2002; P. SOLAZZO 1998;
GIBBONS FAMILY TRUST; BIXLER TRUST;
STEIGERWALD TRUST; CARTER TRUST; and
COMERICA BANK, a Texas Corporation,

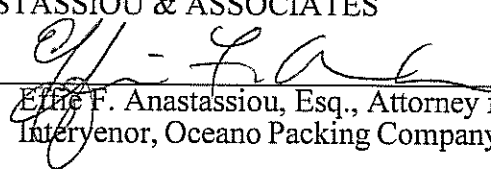
Defendants.

Intervening Plaintiff OCEANO PACKING COMPANY, LLC ("Oceano"), hereby requests that the
Complaint-in-Intervention filed with this Court by Oceano on March 12, 2008, be dismissed in its entirety,
with regards to all Defendants, and all causes of action without prejudice.

DATED: May 7, 2008

ANASTASSIOU & ASSOCIATES

By:


E. F. Anastassiou, Esq., Attorney for
Intervenor, Oceano Packing Company, LLC

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